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PTO/SB/30 (08-00)

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132 effective on May 29, 2000,
provides for continued examination of an utility or plant application filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	08/737,466 446
Filing Date	01/10/1997
First Named Inventor	John Dupre
Group Art Unit	1644
Examiner Name	Nolan, P.
Attorney Docket Number	030639.0034.RCE1

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-entitled application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14863 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months.
(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other

01/15/2003 GDUCKETT 00000001 08737446

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

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370.00 0P

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1273
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other
- b. ☒ Check in the amount of \$370.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Lisa M. McGeehan	Registration No. (Attorney/Agent)	41185
Signature	<i>Lisa M. McGeehan</i>	Date	September 24, 2002

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Laura V. Largey	Date	September 25, 2002
Signature	<i>Laura V. Largey</i>		

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PATENT
030639.0034.RCE1IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John Dupre

Serial No.: 08/737, ~~456~~ 446

Filed: January 10, 1997

Title: TREATMENT OF DIABETES

Group Art Unit: 1644

Examiner: Nolan, P.

Box RCE
Commissioner for Patents
Washington, D.C. 20231TRANSMITTAL LETTER

Dear Sir:

Enclosed are the following documents:

- Request for Continued Examination (RCE) Transmittal;
- Information Disclosure Statement;
- Form PTO/SB/08A;
- Copies of 53 cited references;
- Check in the amount of \$370.00; and
- Return Postcard

The Commissioner is authorized to charge any additional fee required or to credit any overpayment to our Deposit Account No. 50-1273.

Respectfully Submitted,

John Dupre

Date:

September 24, 2002

By:

Lisa M. McGeehanLisa M. McGeehan
Reg. No. 41,185Brobeck, Phleger & Harrison LLP
12390 El Camino Real
San Diego, CA 92130-2081
Direct Dial: (858)720-2584
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(37 C.F.R. §1.8(a))

I hereby certify that this paper (along with anything referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below, with sufficient postage, as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

Laura V. Larzev
Laura V. LarzevSept. 25, 2002
Date of Deposit

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Transmission problems: (858) 720-2584

Brobeck

ATTORNEYS AT LAW

January 10, 2003

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TO

RECIPIENT	COMPANY	TELEPHONE	FAX
Examiner P. Nolan	U.S. Patent and Trademark Office	(703) 305-1987	(703) 746-5303

FROM

SENDER	EMAIL	TELEPHONE	FAX
Lisa M. Griffith	LGriffith@brobeck.com	(858) 720-2584	(858) 720-2555

MESSAGE

Re: USPTO Serial No. 08/737,446

Adjusted date: 01/15/2003 GDUCKETT
 01/17/02 ADSPAW 00000005 08237466
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REQUEST FOR CONTINUED EXAMINATION (RCE)

Please acknowledge receipt of the following by affixing hereon the Patent and Trademark Office date stamp and returning this card to our office.

Applicant(s): John Dupre Client: Amvlin Pharmaceuticals, Inc.
Serial No.: 08/737,466 Filed: January 10, 1997
Attorney: Lisa M. McGeehan

TREATMENT OF DIABETES

Docket No.: 030639.0034.RCE1
Date of Deposit: September 25, 2002 (First Class Mail)
Enclosure(s): Transmittal Letter (1 pg); Request for Continued Examination (RCE)
Transmittal (1 pg); Information Disclosure Statement (2 pgs); Form
PTO/SB/08A (4 pgs); Copies of 53 cited references; check in the amount
of \$370.00; Return Postcard.

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